



UNITED STATES GOVERNMENT  
**NATIONAL LABOR RELATIONS BOARD**  
FREEDOM OF INFORMATION ACT BRANCH  
Washington, D.C. 20570

Via email

June 10, 2022

Re: FOIA Request NLRB-2022-001304

Dear Karen Weise (The New York Times):

This is in response to your request, under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, received on June 8, 2022, in which you seek the following records in *Amazon.com Services LLC*, Case No. 29-RC-288020: “06/08/2022 Withdrawal of Petition by Involved Party,” “06/07/2022 Motion by Employer,” “06/06/2022 Motion by Petitioner,” and “06/01/2022 Motion by Employer.” You assumed financial responsibility for the processing of your request in the amount of \$37.00, but requested a fee waiver. You also requested expedited processing.

We acknowledged your request on June 8, 2022. Your request for expedited processing was granted on June 9, 2022. By email with a member of my staff on Jun 9, 2022, you were informed that the listing that previously appeared on the Agency’s website (<https://www.nlr.gov/case/29-RC-288020>) indicating a withdrawal request was filed on 6/8 was incorrect. The document in question was e-filed, with the e-filer selecting “withdrawal request” as the document type, but it was actually a petition to revoke one of the subpoenas for the upcoming hearing. The document has since been corrected in our system and the entry removed from the website. Therefore, no “Withdrawal of Petition” record exists for this case. You were also informed that the “06/07/2022 Motion by Employer” and “06/06/2022 Motion by Petitioner” were previously released in FOIA Request [NLRB-2022-001297](#). For your convenience, copies of those records will be included in this response.

A search of the Agency’s electronic casehandling system, NxGen, has been conducted for the remaining item from you request, the “06/01/2022 Motion by Employer.” This search has located the requested record, which is the Employer’s Motion to Exclude Region 29’s Participation in the Post-Election Objections Hearing Through Appointment of a “Representative.”

Please note that although no portion of the June 1 motion is exempt from disclosure, portions of the June 6 and June 7 motions that were previously released and electronically available are exempt from disclosure under

Exemptions 6 and 7(C) of the FOIA (5 U.S.C. § 552(b)(6) and (b)(7)(C)). Specifically, redactions have been made to protect the privacy interests of individuals named in the records. These redactions were made pursuant to FOIA Exemption 6, which pertains to information the release of which would constitute a clearly unwarranted invasion of personal privacy, and FOIA Exemption 7(C), which pertains to records or information compiled for law enforcement purposes, the release of which could reasonably be expected to constitute an unwarranted invasion of personal privacy. 5 U.S.C. § 552(b)(6) and (b)(7)(C).

For the purpose of assessing fees, we have placed you in Category C, as a representative of the news media, in that you qualify as a person “actively gathering news for an entity that is organized and operated to publish or broadcast news to the public.” NLRB Rules and Regulations, 29 C.F.R. § 102.117(d)(1)(vii). Accordingly, there is no charge assessed for this request. Given your placement as a news media requester, your request for a fee waiver is moot.

You may contact Jodilyn Breirather, the FOIA Specialist who processed your request, at (202) 368-1927 or by email at [Jodilyn.Breirather@nrlb.gov](mailto:Jodilyn.Breirather@nrlb.gov), as well as the Agency’s FOIA Public Liaison, for any further assistance and/or to discuss any aspect of your request. The FOIA Public Liaison, in addition to the FOIA Specialist, can further explain responsive and releasable agency records, suggest agency offices that may have responsive records, and/or discuss how to narrow the scope of a request in order to minimize fees and processing times. The contact information for the FOIA Public Liaison is:

Kristine M. Minami  
FOIA Public Liaison  
National Labor Relations Board  
1015 Half Street, S.E., 4<sup>th</sup> Floor  
Washington, D.C. 20570  
Email: [FOIAPublicLiaison@nrlb.gov](mailto:FOIAPublicLiaison@nrlb.gov)  
Telephone: (202) 273-0902  
Fax: (202) 273-FOIA (3642)

After first contacting the Agency, you may additionally contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA dispute resolution services it offers. The contact information for OGIS is:

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Office of Government Information Services  
National Archives and Records Administration  
8601 Adelphi Road-OGIS  
College Park, Maryland 20740-6001  
Email: [ogis@nara.gov](mailto:ogis@nara.gov)  
Telephone: (202) 741-5770  
Toll free: (877) 684-6448  
Fax: (202) 741-5769

You may obtain a review of this determination under the NLRB Rules and Regulations, 29 C.F.R. § 102.117(c)(2)(v), by filing an administrative appeal with the Division of Legal Counsel (DLC) through FOIAonline at: <https://foiaonline.gov/foiaonline/action/public/home> or by mail or email at:

Nancy E. Kessler Platt  
Chief FOIA Officer  
National Labor Relations Board  
1015 Half Street, S.E., 4<sup>th</sup> Floor  
Washington, D.C. 20570  
Email: [DLCFOIAAppeal@nrlrb.gov](mailto:DLCFOIAAppeal@nrlrb.gov)

Any appeal must be postmarked or electronically submitted within 90 calendar days of the date of this letter. Any appeal should contain a complete statement of the reasons upon which it is based.

Please be advised that contacting any Agency official (including the FOIA Specialist, Attorney-Advisor, FOIA Officer, or the FOIA Public Liaison) and/or OGIS does not stop the 90-day appeal clock and is not an alternative or substitute for filing an administrative appeal.

Sincerely,

*/s/ Synta E. Keeling*

Synta E. Keeling  
FOIA Officer

Attachment: (265 pages)